

REMARKS

Claims 1-7 are pending in the application with claims 1 and 5 being the independent claims. Claim 7 is new. Support for the new claim may be found in the specification and drawings as originally filed.

Rejection under 35 U.S.C. § 102

The Examiner rejected claims 1-6 under 35 U.S.C. § 102(e) as being anticipated by Publication No. US 2002/0034898 to Kuwayama et al. (Kuwayama). In response, Applicants note that Kuwayama was filed in the U.S. on September 21, 2001, and published on March 21, 2002. Accordingly, under § 102(e), its earliest effective date as a reference is September 21, 2001.

The present application claims priority to JP Patent Application No. 2000-313572, filed October 13, 2000. Submitted concurrently herewith is a verified translation of JP Patent Application No. 2000-313572. With this submission, Applicants have perfected their claim to priority and have shown that their constructive reduction to practice of the claimed invention precedes the effective date of Kuwayama. Thus, Kuwayama may not be applied as a reference against the present claims. Applicants respectfully request that the Examiner withdraw the rejection and allow the claims.

New Claim

New claim 7 contains the same features recited in claim 4, but depends from claim 1, rather than claim 2. Accordingly, claim 7 is allowable for at least the reasons that claim 1 is allowable. Please note that original claim 4 depended from claim 2. However, in the Amendment of July 31, 2002, claim 4 was inadvertently presented as

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depending from claim 1, although it was not amended to depend from claim 1. This Amendment correctly presents claim 4 by presenting it as depending from claim 2, and presents new claim 7 as depending from claim 1.

Conclusion

In view of the foregoing remarks, Applicants respectfully request the timely allowance of the pending claims. Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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